G. R. S. 59]

# GENERAL AND REVENUE SECRETARIAT.

1900/
(Legislation)

P-15

**File No. 32 — 11**

**Serial Nos. 1 — 2**

## Papers Filed.

***Month*** May 1912

SUBJECT.

Petition of Mr. M. Krishnaswami Rao Proprietor & Publisher of "The Land Gazette" — Honnalli —

| PREVIOUS REFERENCES. | LATER REFERENCES. |
|---|---|
| | Lgr 22-12<br>ch. 237-1912 SG 1-4. |

Correction
27/5/12

G.R.S. 11] 191-12

GENERAL AND REVENUE SECRETARIAT.

( Legis )

NOTES.

File No. 32-11

FILE HEADING.

Petition of Mr M. Krishnamurthy Rao proprietor and publisher, the ~~Legal Ga~~ Law Gazette' Honnali for permission to publish in ~~Kannada~~ Kannada in the Law Gazette all the regulations the chief Court reports and Govt decisions in Rev: appeal cases.

From

Mr M. Krishnamurthy Rao, proprietor and publisher The Law Gazette', Honnali

No. — Dated 8/12/12 Received 10/12/12

| Diary No. J2069 | Enclos. — Spare Copies. — | Serial No. 1 |
|---|---|---|

BRIEF ABSTRACT OF LETTER.

Requests permission to publish in ~~Kannada~~ Kannada in the Law Gazette all the regulations, the chief Court reports and Govt decisions in Rev: appeal cases.

NOTES AND ORDERS.

Submitted

1 All the regulations with their Kannada translations are published in the Mysore Gazette. Important decisions of Govt in Rev: appeal cases are also published in

NOTES—First Sheet.

GPB—30,000—12-8-11

G. R. S. 12 ]
General and Revenue Secretariat.

Legis File No. 32 of 19 11-12

V

| Serial No. | |
|---|---|
| | part IV of the Kannada Gazette. |
| P | For example please see page 601 part IV of the Mysore Gazette of 9/11/11 in Kannada. No special permission seems to be necessary either to translate or to republish ~~Notices~~ is by private agency what is published in the Mysore Gazette. ~~But in the case~~ of Therefore the publisher of the Law Gazette can publish all the regulations and such of the decisions of Govt in Rev: appeal cases as have been published in the Mysore Gazette. As regards the chief Court reports it is doubtful if their publication in Kannada would be of much benefit to the class of people for whose benefit the Law Gazette is intended. As the reports are not published in ~~Kan~~ the Gazette have to the chief court may perhaps be consulted before permission can be granted for translating the reports and publishing the same in the Law Gazette. |
| | 14/2/12 SN(11) 2 Put up draft [illegible] saying that sanction of Govt is not necessary for the publication |

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12 ]
General and Revenue Secretariat

File No. 32 of 1911 12

Serial No.

in Kannada of the Regulations published in the Mysore Gazette and also Mysore Ch. Ct. Reports

15/2/12

3 Submitted with a Kannada draft endorsement

22/2/12 27/2/12

4 may be appd

26/2/12

5 I believe the reproduction of Indian Law Reports was prohibited some yrs ago in Br. India. Was it done by registering copyright or how? What objn can there be in giving permission expressly?

27/2/12

6 Please note

NOTE—Contn. sheet.

GPB—50,000—12-8-10

28/2/12

G. R. S. 12 ]
General and Revenue Secretariat.

Legis File No. 32 of 19 11-12

| | Serial No. | |
|---|---|---|
| | | Submitted. |
| Chief Court Reports Ser: | 12 | A Copy of each of the series of |
| I.L.R. Mad. Sept: | 11 | the I.L.R. and that of the Chief |
| I.L.R. Bom. Nov: | 11 | court Reports is herewith put- |
| I.L.R. All. Oct: | 11 | up. It will be seen that in |
| I.L.R. Cal. Dec: | 11 | the I.L.R. series it is the |
| | | words "All Rights Reserved" are |
| | | printed on the cover whereas |
| | | no such ~~word~~ words occur on |
| | | the ~~cover~~ of the Mysore chief |
| | | court Reports. It might therefore |
| | | be inferred that no formal express |
| | | permission is necessary to either |
| | | reprint or translate the chief |
| | | court Reports. This Office is not |
| | | aware of the case referred to |
| | | by the 1st councillor rejecting |
| | | permission to reprint the I.L.R. |
| | | series. |
| | | (S.B.) C.N.(11) |
| | | 4/3/12 4/3/12 |
| | | Please note with ref- |
| | | -ce to the Copyright Act |
| | | 4/3/12 |

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]

General and Revenue Secretariat. | Legs File No. 32 of 1911-12

Serial No.

Submitted

9 E. J. Macgillivray in his treatise on the Law of Copyright (page 18) states that the courts in England appear to have only recognised copyright in the matter of reports to the extent to which that matter was the composition of the author, only, in short, when it was a description in his own language of what had taken place. Thus copyright vests only in the head notes and marginal ~~reports~~ notes in a Law report and not in the verbatim report. See: 10 of the Copyright Act, 1847 vests the right in the Proprietor, Proprietor, Publisher or Conductor of the work (who pays for the work published) in a series of Books or parts. Therefore if there is any copyright in the Mysore chief court Report, the Govt. has it. But it is a question for consideration if the absence of the words "All rights reserved" or words to that effect on the Reports,

Page 7 of the Mysore Code Vol. I

NOTE—Contn. sheet.

GPB—20,000—20-1-12

G. R. S. 12]

7

General and Revenue Secretariat.

Legis File No. 32 of 1911-12

Serial No. 14

Flag T.

Latest Edn

Submitted with the Unrepealed Acts of the Governor General of India in Council Vol II containing the Law Reports Acts.

(58) SW
15/4/12 — 17/4

12 (1) Govt can acquire Copyright in its publications if it follows the procedure laid down in the Copyright Act (Vol. I Mysore Code). This does not seem to have been done in the case of our Ch. Ct. Reports. [The Indian Law Reports have been registered for Copyright.]

(2) Whether ~~a right of~~ Copyright includes the right of translation into a different language is a question on which there is difference of opinion. The Bombay High Court have held (1895) that 'Copyright' does not include 'right of translation' on the ground that translation is an intellectual process and that consequently it becomes a new work of the translator. This view is criticised in the text book put up.

(3) The prohibition of the reproduction

NOTE—Contn. sheet.

GPE—20,000—20-1-12

G. R. S. 12]

General and Revenue Secretariat.

Leg. File No. 52 of 1911

Serial No.

of the Indian Law Reports Leave to have been done by registering for Copy right [the Law Reports Act is for a different purpose]

Submitted 1st

Sd

26/4/12

347 13 The reply as drafted may be given.

Sd

30/4/12

4/5

9

8/5

14 Issue

Sd

30/4/12

2 No J 3202 dated 2/5/12 to M. Krishnamurthy of Honnali with Honnali Hobli, Honnalli Taluk. Informs him that no Govt sanction is necessary to publish in Kanarese the Regns and Rules orders

NOTE—Contn. sheet.

GPB—20,000—20-1-12

9

G. R. S. 12]

| General and Revenue Secretariat. | Legis File No. 32- of 1911-12 |
|---|---|
| Serial No. | in Rev: cases published in the Mysore Gazette and to translate and publish the cases reported in the chief Court Reports. |
| 7 | |

NOTE—Contn. sheet.

GPB—20,000—20-1-12

1911-12

No. J 2069

Name of Petitioner M. Krishnamiah Rao

Village Honnali

Taluk Honnali

District Shimoga

Date of Arzi 8/2/12

Date of Receipt 10/2/12

Date of Disposal

No. of Enclosure

ABSTRACT

States that the Regulations now in force in Mysore could not be grasped and understood by the Kannada people of the state as ~~many of them know~~ Kan. books for many of them are not available and therefore he has started a monthly journal called the Law Gazette in Kannada which deals only with law subjects. He therefore prays that permission may be accorded to him to publish in Kannada in the Law Gazette

MGCPB-500-27-7-04

all the regulations, the chief court reports and the decisions of Govt in revenue appeal cases.

DIARY NO. 2008
10/11-10 12
SECTION Legis
FILE No. 32-11
SERIAL No. 1

ಸಚಿವರು ಪ್ರಶ್ನೆಗಳಿಗೆ ಉತ್ತರಿಸಿದ ನಂತರ ಪೂರಕ ಪ್ರಶ್ನೆಗಳನ್ನು ಕೇಳಲು ಅವಕಾಶ ಕಲ್ಪಿಸಲಾಗುವುದು ಎಂದು ಹೇಳಿದರು.

ಶ್ರೀ ಬಿ.ಆರ್. ಪಾಟೀಲ್ (ಆಳಂದ): ಸಭಾಧ್ಯಕ್ಷರೇ, ಪ್ರಶ್ನೆಗಳಿಗೆ ಉತ್ತರ ಕೊಡುವಾಗ ಸಚಿವರು ಸಮಾಧಾನಕರವಾಗಿ ಉತ್ತರ ಕೊಡಬೇಕು ಎಂಬ ನಿಯಮವಿದೆ. ಆದರೆ ಕೆಲವು ಸಚಿವರು ಸಮಾಧಾನಕರವಾಗಿ ಉತ್ತರ ಕೊಡುವುದಿಲ್ಲ. ಅಧಿಕಾರಿಗಳು ಬರೆದು ಕೊಟ್ಟ ಉತ್ತರವನ್ನು ಓದಿ ಹೇಳುತ್ತಾರೆ. ಅಧಿಕಾರಿಗಳು ಬರೆದು ಕೊಟ್ಟ ಉತ್ತರವನ್ನು ಸಚಿವರು ಓದಿ ಹೇಳುವುದಾದರೆ ಸಚಿವರು ಯಾಕೆ ಬೇಕು? ಅಧಿಕಾರಿಗಳೇ ಉತ್ತರ ಕೊಡಲಿ. ಸಚಿವರು ಸಮಾಧಾನಕರವಾಗಿ ಉತ್ತರ ಕೊಡಬೇಕು ಎಂಬ ನಿಯಮವನ್ನು ಜಾರಿಗೆ ತರಬೇಕು. ಸಚಿವರು ಸಮಾಧಾನಕರವಾಗಿ ಉತ್ತರ ಕೊಡದಿದ್ದಲ್ಲಿ ಪೂರಕ ಪ್ರಶ್ನೆಗಳಿಗೆ ಅವಕಾಶ ಕೊಡಬಾರದು. ಸಚಿವರು ಸಮಾಧಾನಕರವಾಗಿ ಉತ್ತರ ಕೊಡಲಿಲ್ಲ ಎಂದು ಸಭಾಧ್ಯಕ್ಷರಿಗೆ ಅನಿಸಿದರೆ ಅಂತಹ ಪ್ರಶ್ನೆಗಳಿಗೆ ಪೂರಕ ಪ್ರಶ್ನೆಗಳಿಗೆ ಅವಕಾಶ ಕೊಡಬಾರದು. ಆಗ ಸಚಿವರು ಸಮಾಧಾನಕರವಾಗಿ ಉತ್ತರ ಕೊಡಲು ಪ್ರಯತ್ನಿಸುತ್ತಾರೆ. ಸಚಿವರು ಸಮಾಧಾನಕರವಾಗಿ ಉತ್ತರ ಕೊಡಲಿಲ್ಲ ಎಂದು ಸಭಾಧ್ಯಕ್ಷರು ಹೇಳಿದಾಗ ಸಚಿವರು ಸಮಾಧಾನಕರವಾಗಿ ಉತ್ತರ ಕೊಡಲು ಪ್ರಯತ್ನಿಸಿದ್ದೇನೆ ಎಂದು ಹೇಳಿದರೆ ಏನು ಮಾಡಬೇಕು? ಆಗ ಸಭಾಧ್ಯಕ್ಷರು ಸಚಿವರಿಗೆ

ಪ್ರತಿಯೊಂದನ್ನು ಶಿಕ್ಷಕರಲ್ಲಿ ಬಾಲಬೋಧೆಯನ್ನು
ತಿಳಿದು ಕೊಳ್ಳಲು ಪ್ರಯತ್ನಿಸುವುದರಿಂದ ಬಹುಳ
ಪ್ರಯೋಜನವುದೆಂದು ಸೂಚಿಸಲು ತಿಳಿದೆ.

ಈ "ಲಂಕಾಪತ್ರಿಕೆ"ಯನ್ನು ಪ್ರಥಮದಲ್ಲಿ ಶ್ರೀ
ಎ. ವಿಶ್ವನಾಥಯ್ಯನವರು ಕೊಂಡುಕೊಂಡಿದ್ದು
ಆಮೇಲೆ ಪ್ರಸಿದ್ಧ ಇದನ್ನು ಬಹಳ ಕಾಲದಿಂದ
ನಡೆಸಿಕೊಂಡು ಬಂದಿರುವ ಶ್ರೀಯುತ ಕೆ. ವೀರಭದ್ರ
ರಾಯರು ಕೊಂಡು ಬಹಳ ಶ್ರಮದಿಂದ ನಡೆಸಿ
ಬಂದರು. ಇವರು 23-12-1911 ರಲ್ಲಿ ತಿರುವಾಂಕೂರಿಗೆ
ಹೋಗಿ ಅಲ್ಲಿ 27-12-1911 ರಲ್ಲಿ ಇವ
ರಿಗೆ ಸಂಸ್ಥಾನದಲ್ಲಿ ಸಂಮಾನವಾಯಿತು.

ಈ ಸಂಸ್ಥಾನ ಪತ್ರಿಕೆಯು ಕೊಂಡಿ ಶ್ರೀಯವರು
ಪ್ರಾರಂಭಿಸಿದಲ್ಲಿ ಅಲ್ಲಿಂದ ಇಂಗ್ಲಿಷಿನಲ್ಲಿ ಮಾತ್ರ
ವಿದ್ದು ಈಗ ಇಂಗ್ಲಿಷಿನಲ್ಲಿ ಕೊಂಡಿದ್ದು ಸಂಪೂರ್ಣ ಭಾಗ
ಕೆಲವು ಮಲೆಯಾಳಿ ಭಾಷೆಯಲ್ಲಿ ಕೆಲವು ಭಾಗ
ತಮಿಳಿನಲ್ಲಿ ಕೆಲವು ಭಾಗ ತೆಲುಗಿನಲ್ಲಿ ಕೆಲವು
ಭಾಗ ಕನ್ನಡದಲ್ಲಿ ಕೆಲವು ಭಾಗ ಹಿಂದಿಯಲ್ಲಿ
ಕೊಂಡಿದ್ದು ಹೀಗೆ ಆರು ಭಾಷೆಗಳಲ್ಲಿ ಬರುತ್ತಿದೆ.

8/2/1912.

M. K. Veerabhadra Rao
Proprietor & Publisher
"Lanka Gazette."
Kannali